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PTO/SB/21 (09-04)

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

7*

Application Number

10/822,354

Filing Date

April 12, 2004

First Named Inventor

Bob M. Moore II

Art Unit

1614

Examiner Name

Spivack, Phyllis G.

Attorney Docket Number

747.0037

ENCLOSURES (Check all that apply)

☐

Fee Transmittal Form

☐

Fee Attached

☐

Amendment/Reply

☐

After Final

☐

Affidavits/declaration(s)

☐

Extension of Time Request

☐

Express Abandonment Request

☒

Information Disclosure Statement

☐

Certified Copy of Priority Document(s)

☐

Reply to Missing Parts/
Incomplete Application

☐

Reply to Missing Parts
under 37 CFR 1.52 or 1.53

☐

Drawing(s)

☐

Licensing-related Papers

☐

Petition

☐

Petition to Convert to a
Provisional Application

☐

Power of Attorney, Revocation

☐

Change of Correspondence Address

☐

Terminal Disclaimer

☐

Request for Refund

☐

CD, Number of CD(s) _____

☐ Landscape Table on CD

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After Allowance Communication to TC

☐

Appeal Communication to Board
of Appeals and Interferences

☐

Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)

☐

Proprietary Information

☐

Status Letter

☐

Other Enclosure(s) (please identify
below):

Remarks

* = plus references (1 US Patent reference)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

Howard Eisenberg, Esq.

Signature

Printed name

Howard Eisenberg

Date

September 2, 2005

Reg. No.

36,789

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

Typed or printed name

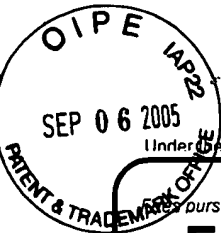
Howard Eisenberg

Date

September 2, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



Effective on 12/08/2004.

Pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL

For FY 2005

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)

0

Complete if Known

| | |
|----------------------|---------------------|
| Application Number | 10/822,354 |
| Filing Date | April 12, 2004 |
| First Named Inventor | Bob Moore II |
| Examiner Name | Spivack, Phyllis G. |
| Art Unit | 1614 |
| Attorney Docket No. | 757.0061 |

METHOD OF PAYMENT (check all that apply)☐ Check ☐ Credit Card ☐ Money Order ☒ None ☐ Other (please identify): _____☐ Deposit Account Deposit Account Number: 50-1773 Deposit Account Name: Howard Eisenberg

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below☐ Charge fee(s) indicated below, except for the filing fee☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

| Application Type | FILING FEES | | SEARCH FEES | | EXAMINATION FEES | | Fees Paid (\$) |
|------------------|-------------|-----------------------|-------------|-----------------------|------------------|-----------------------|----------------|
| | Fee (\$) | Small Entity Fee (\$) | Fee (\$) | Small Entity Fee (\$) | Fee (\$) | Small Entity Fee (\$) | |
| Utility | 300 | 150 | 500 | 250 | 200 | 100 | 500 |
| Design | 200 | 100 | 100 | 50 | 130 | 65 | |
| Plant | 200 | 100 | 300 | 150 | 160 | 80 | |
| Reissue | 300 | 150 | 500 | 250 | 600 | 300 | |
| Provisional | 200 | 100 | 0 | 0 | 0 | 0 | |

2. EXCESS CLAIM FEES

| Fee Description | Fee (\$) | Small Entity Fee (\$) |
|--|----------|-----------------------|
| Each claim over 20 (including Reissues) | 50 | 25 |
| Each independent claim over 3 (including Reissues) | 200 | 100 |
| Multiple dependent claims | 360 | 180 |
| Total Claims | | |
| 27 - 20 or HP = 0 x 25 = 0 | | |
| HP = highest number of total claims paid for, if greater than 20. | | |
| Indep. Claims | | |
| 3 - 3 or HP = 0 x 100 = 0 | | |
| HP = highest number of independent claims paid for, if greater than 3. | | |

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

| | | | | |
|--------------|--------------|--|----------|---------------|
| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof | Fee (\$) | Fee Paid (\$) |
| - 100 = 0 | / 50 = | (round up to a whole number) x | | 0 |

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): _____

| | | | |
|-------------------|------------------|--|--------------------------|
| SUBMITTED BY | | | |
| Signature | | Registration No. (Attorney/Agent) 36,789 | Telephone (215) 453-9237 |
| Name (Print/Type) | Howard Eisenberg | Date September 2, 2005 | |

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Atty Doc. No. 747.0037

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION EXAMINING OPERATIONS

In re the Application of :
Bob M. Moore II : Group Art Unit: 1614
Serial No. 10/822,354 : Examiner: Spivack, Phyllis G.
Filed: April 12, 2004 : (571) 272-0585
For a Patent for : Date: September 2, 2005
METHOD AND KIT FOR REGULATION
OF MICROVASCULAR TONE

**SECOND INFORMATION DISCLOSURE STATEMENT
IN ACCORDANCE WITH 37 CFR §1.97(c)**

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants submit herewith copies of patents and publications of which they are aware and which they desire to have considered by the Patent Office in accordance with 37 CFR §1.97. In accordance with 37 CFR §1.97(c)(1), this Information Disclosure Statement is being submitted after the mailing date of a first Office Action and before the mailing date of a final action on the merits of the above-identified application.

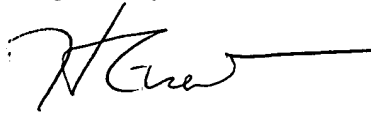
In accordance with 37 CFR §1.97(c)(1), the undersigned attorney for applicant hereby states that each item of information contained in the Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.

In accordance with 37 CFR §1.97(h), the filing of this Information Disclosure Statement will not be regarded as an admission that any patent or publication or combination of patents referred to herein is, or is considered to be, material to patentability under 37 CFR §1.56(b) unless specifically designated as such.

A list of the patents and publications enclosed herewith is set forth on the attached 3 pages of Information Disclosure Statement by Applicants.

The person making this statement is the attorney who signs below on the basis of the information supplied by the inventor and the information in his file.

Respectfully submitted,

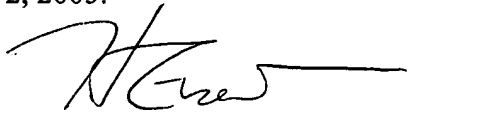


Howard M. Eisenberg
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Perkasie, PA 18944
Attorney for Applicant
Tel: (215) 453-9237

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Box 1450, Alexandria, VA 22313-1450 on September 2, 2005.

Dated: September 2, 2005



Howard M. Eisenberg



**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

| | | | | | |
|-------|---|----|---|-----------------------|---------------------|
| | | | | Application Number | 10/822,354 |
| | | | | Filing Date | April 12, 2004 |
| | | | | First Named Inventor | Bob M. Moore II |
| | | | | Group Art Unit | 1614 |
| | | | | Examiner Name | Spivack, Phyllis G. |
| Sheet | 1 | of | 3 | Attorney's Docket No. | 747.0037 |

| U.S. Patent Documents | | | | | | |
|-----------------------|-------------|----------------------|-----------|---|--|---|
| Examiner Initials | Cite No. | U.S. Patent Document | | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document MM-DD-YY | Pages, columns, lines where passages or relevant figures appear |
| | | Number | Kind Code | | | |
| | AA | | | | | |
| | AB | 2004/0010012 | A1 | Farina, et al | 01-15-04 | |
| | AC | | | | | |
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|-------|---|----|---|--|-----------|-----------------|
| Sheet | 2 | of | 3 | | Inventor: | Bob M. Moore II |
|-------|---|----|---|--|-----------|-----------------|

| FOREIGN PATENT DOCUMENTS | | | | | | | | |
|--------------------------|--------------------------|-----------------------------|--------|------|---|--|--|----------------|
| Examiner Initials | Cite No. ¹ | FOREIGN PATENT DOCUMENTS | | | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document MM-DD-YY | Pages, columns, lines where passages or relevant figures appear | T ² |
| | | Office code | Number | Kind | | | | |
| | B A | | | | | | | |
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| Examiner Signature | | Date Considered | |
|-----------------------|--|--------------------|--|

¹ Unique citation designation number. ² Applicant is to place a check mark here if English language translation is attached.

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|-------|---|----|---|--|-----------|-----------------|
| Sheet | 3 | of | 3 | | Inventor: | Bob M. Moore II |
|-------|---|----|---|--|-----------|-----------------|

| OTHER PRIOR ART-NON PATENT LITERATURE DOCUMENTS | | | |
|---|---------------------------|--|----------------|
| Examiner Initials | Cite, No. ¹ | Include name of author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and or country where published | T ² |
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| Examiner Signature | | Date Considered | |
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¹ Unique citation designation number. ² Applicant is to place a check mark here if English language translation is attached.